

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 25, 2008

DIVISION ONE

Court convened at 9:00 a.m., at the University of Southern California, Gould School of Law.

Present: Mallano, Acting P.J., Vogel (Miriam A.), J., Rothschild, J., Jackson, J. (Assigned) and P. Gonzalez and S. Stahl, Deputy Clerks.

Each of the following:

B193798 People v. Griffin
B196418 People v. Fernandez
B197363 People v. Alberto M.
B197495 People v. Hill
B197664 People v. Chavez
B197846 People v. Evans
B197850 People v. Orozco
B198670 People v. Decker
B198891 People v. Ramirez
B199178 People v. Marion
B199625 People v. Figueroa
B1200423 People v. Bennett
B204442 Humberto C. v. SCLA (DCFS, rpi)

Argument waived, cause submitted.

B195748 Roth v. California Coastal Commission

Matter continued to April 22, 2008.

DIVISION ONE (continued)

B189101 Vista Point Properties v. Simoneau et al.

Matter continued to May 20, 2008.

B199089 People

v.

M.F.

Merits:

Argued by Courtney Selan for appellant and by Sonya Roth, Deputy Attorney General for respondent. Cause submitted.

Vogel, J., leaves the bench.

B198046 People

v.

Lennox W. Pinks

Merits:

Argued by Cindy Brines for appellant and by Dana M. Ali, Deputy Attorney General for respondent. Cause submitted.

Vogel, J., returns to the bench.

B196863 People

v.

John Anthony Garcia

Merits:

Argued by Patrick Smith for appellant and by William Shin, Deputy Attorney General for respondent. Cause submitted.

Mallano, Acting P.J., leaves the bench.

DIVISION ONE (continued)

B204314 In re Sheridan on Habeas Corpus

Merits:

Argued by Nancy Tetreault for petitioner and by Gregory J. Marcot for respondent. Cause submitted.

Court recessed.

Court reconvened at 10:48 a.m.

Present: Mallano, Acting P. J., Vogel (Miriam A.), J., Rothschild, J., Jackson, J. (Assigned) and P. Gonzalez and S. Stahl, Deputy Clerks.

B193333 Monica Bavender
 v.
 Margherita Palumbo

Merits:

Argued by Arthur G. Newton for respondent and no appearance for appellant. Cause submitted.

B195406 Israel Casteneda
 v.
 Joseph Anthony Lopez et al.

Merits:

Argued by Joseph Glick for appellant and by no appearance for respondent. Cause submitted.

DIVISION ONE (continued)

B198265 People
 v.
 Lei Hong

Merits:
Argued by Matthew Alger for appellant and by Timothy M. Weiner,
Deputy Attorney General for respondent. Cause submitted.

B198889 Aaron Solganick
 v.
 SG Capital Holdings LLC

Merits:
Argued by Robert Efthimos for appellant and by D. Aaron Brock for
respondent. Cause submitted.

Court recessed.

Court reconvened at 1:40 p.m.

Present: Vogel (Miriam A.), Acting P.J., Rothschild, J., Jackson, J. (Assigned) and P.
Gonzalez and S. Stahl, Deputy Clerks.

B196047 Yevgeniia Lisitsa
 v.
 Yuri Gleyzer et al.

Merits:
Argued by Henry John Matusek II for respondents. Argument previously
waived by appellant. Counsel Matusek is directed to submit diagram
within 10 days, and a response is requested 10 days thereafter. Counsel
directed to give notice to all parties. Cause will be submitted after the
response is filed.

March 25, 2008 (Continued)

DIVISION ONE (continued)

B196714 Leonard Fenton

v.

Liner Yankelevitz Sunshine & Regenstreif LLP et al.

Merits:

Argued by Brian T. Hafter for appellant and by Bruce Adelstein for respondent. Cause submitted.

Court adjourned.

B193745 Edmond Adaimy

v.

Sandra Ruhl et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION THREE

B201434 Marsh, et al.

(Not for Publication)

v.

Jalala

The judgment and the July 30, 2007 order are affirmed. Jalala shall recover his costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

March 25, 2008 (Continued)

DIVISION THREE (continued)

B200210 People (Not for Publication)

V.

Titus M.

The order continuing warship is affirmed.

Aldrich, J.

We concur: Klein, P.J.

Croskey, J.

B201307 People (Not for Publication)

V.

Gary Devon Walker

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.

Kitching, J.

B197888 People (Not for Publication)

V.

Emilio R. Guajaca

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.

Croskey, J.

DIVISION THREE (continued)

B191934 People (Not for Publication)

V.

Rafael Skate Diosdado

The judgment is modified by striking the three Penal Code section 12022.3, subdivision (a) enhancements pertaining to each of counts 5, 6, and 7, and by awarding appellant an additional 21 days of custody credit pursuant to Penal Code section 2900.5, subdivision (a), plus 3 days of conduct credit pursuant to Penal Code section 2933.1, subdivision (a), for a total precommitment credit award of 831 days, and, as modified, the judgment is affirmed. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment reflecting the above modifications, that a Penal Code section 12022.53, subdivision (b) enhancement was imposed as to count 5, and that there was no Penal Code section 12022.53, subdivision (b) enhancement, imposed, stayed, or otherwise, as to count 1.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B196623 People (Not for Publication)

V.

Ramiro Munguia

The judgment is affirmed.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

March 25, 2008 (Continued)

DIVISION THREE (continued)

B196503 People (Not for Publication)

V.

Marco Antonio Knoth

The judgments (in case Nos. KA076174, KA076208, and BA274355) are affirmed.

Kitching, J.

We concur: Klein, P.J.

Croskey, J.

B196856 People (Not for Publication)

V.

Connie Maria Orr

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.

Aldrich, J.

B194266 People (Not for Publication)

V.

Robert Persinger

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.

Kitching, J.

DIVISION THREE (continued)

B195978 Hill, Farrer & Burrill (Not for Publication)
 v.
 Twarowski, III

The judgment is affirmed. Hill is to recover its costs on appeal.

Croskey, J.

We concur: Klein, P.J.
 Kitching, J.

B198139 Antelope Valley Press
 v.
 California Insurance Commissioner et al

On the court's own motion rehearing is granted. Cause resubmitted.

B192878 Jonathan L. and Mary Grace L
 v.
 S.C.L.A.
 Los Angeles County Department of Children and Family Svcs.

Filed order granting petition for rehearing.

DIVISION FIVE

B198084 Andrew Eliopulos (Not for Publication)

v.

City of Palmdale

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Mosk, J.

Kriegler, J.

B196817 Bob Yari (Certified for Publication)

v.

Producers Guild of America, Inc. et al

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur: Turner, P.J.

Kriegler, J.

B192892 Lynn Magnandonovan v. City of Los Angeles

B199028 Lynn Magnandonovan v. City of Los Angeles

Filed order consolidating above captioned appeals.

B204782 Howard Jaffe

v.

Zenaida Pacelli

Filed order granting motion to dismiss appeals. Appeals filed December 20, 2007 dismissed.

March 25, 2008 (Continued)

DIVISION FIVE (continued)

B193957 People
v.
John Hernandez Lopez

Filed order denying petition for rehearing. Mosk, J. would grant rehearing.

DIVISION SIX

B198069 People (Not for Publication)
v.
Castaneda

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION SEVEN

B201000 People (Not for Publication)
v.
Robinson

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

DIVISION FIVE (continued)

B200606 In re H.B., a minor
 Los Angeles County, D.C.S.
 v.
 Gail B.

Filed order certifying opinion for publication.

DIVISION EIGHT

B194418 People (Not for Publication)
v.
Cortes

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.

B197724 Gonzales et al., (Not for Publication)
v.
City Of South Gate

The judgment is affirmed. Respondent is to recover its costs on appeal.

Flier, J.

We concur: Cooper, P.J.
Egerton, J. (Assigned)

B193863 Kuist et al.,
v.
Hodge et al.,

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)